

JAN 08 2004

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**Petition For Revival Of An Application For Patent Abandoned
Unintentionally Under 37 CFR 1.137(b) (Large Entity)**

Docket No.
3153.00461

In Re Application Of: Xuemei Cao, et al.

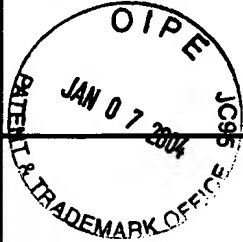
Serial No.
09/989,933

Filing Date
11/21/2001

Examiner

Group Art Unit

Invention: **ATTENUATED FORMS OF BOVINE VIRAL DIARRHEA VIRUS**



Attention: Office of Petitions
COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, VA 22313-1450

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (703) 305-9282.

The above-identified application became abandoned for failure to file a timely and proper response to a notice or action by the Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus any extension of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee--required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. ☒ A proposed reply to the above-identified notice or action:

☒ is enclosed. ☐ was filed on _____

The proposed reply is in the form of: Response to Notice to File Corrected Application Papers

2. ☐ The issue fee:

☐ is enclosed. ☐ was paid on _____

3. ☒ The abandoned application was a:

☐ design application. ☒ utility application. ☐ plant application.

4. ☐ A terminal disclaimer (and fee) disclaiming a period equivalent to the period of abandonment is enclosed.

5. ☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.

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PATENT & TRADEMARK

Calculation and Payment of Fees

Enclosed are the following fees:

6. ☒ Petition fee under 37 CFR 1.17(m) in the amount of: \$1,330.00
7. ☐ Fee for amendment in the amount of: _____
8. ☐ Fee for extension of time to respond to Office Action in the amount of: _____
9. ☐ Issue fee in the amount of: _____
10. ☐ Continuing application filing fee in the amount of: _____
11. ☐ Terminal disclaimer fee in the amount of: _____
12. ☐ _____

Total fees enclosed: \$1,330.00

The fee of **\$1,330** is to be paid as follows:

- ☒ A check in the amount of the fee is enclosed.
- ☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to
Deposit Account No. **11-1449**

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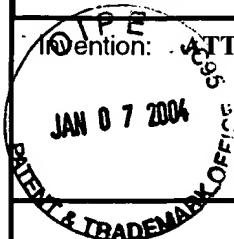
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Statement

The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional.

Signature

Dated: January 7, 2004

Kenneth I. Kohn
Kohn & Associates, PLLC
30500 Northwestern Hwy.
Suite 410
Farmington Hills, Michigan 48334
(248) 539-5050

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OFFICE OF PETITIONS

CC:

I certify that this document and fee is being deposited
on January 7, 2004 with the U.S. Postal Service as
first class mail under 37 C.F.R. 1.8 and is addressed to the
Mail Stop Petition, Commissioner for Patents, P.O. Box
1450, Alexandria, VA 22313-1450.

Signature of Person Mailing Correspondence

Marie M. DeWitt

Typed or Printed Name of Person Mailing Correspondence